

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
October 8, 2002, 9:00 A.M.

City Hall  
455 North Main

ORDER OF BUSINESS

- Call to Order
  - Invocation
  - Pledge of Allegiance
  - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Proclamations
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PUBLIC AGENDA

1. John Polson – Governmental Accountability.
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UNFINISHED BUSINESS

2. [Kellogg](#) Water and Sewer Line Relocation.

(Continued from October 1, 2002)

RECOMMENDED ACTION: Approve water and sewer CIPs; authorize expenditures; adopt Resolutions.

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NEW BUSINESS

3. [Homestead](#) Health Center Refunding Revenue Bonds.

Homestead Health Center requests approval of a Letter of Intent to issue Health Care Facility Refunding Revenue Bonds in an amount not-to-exceed \$780,000.

RECOMMENDED ACTION: Approve a Letter of Intent, subject to the standard Letter of Intent Conditions.

4. [Extension of IRB Tax Exemption – Case Swayne Co., Inc.](#) (District II)

Case Swayne Co., Inc., requests a tax exemption extension to include the last three-years on personal bond-financed property.

RECOMMENDED ACTION: Extend the tax exemption for the last three years.

5. [Extension of IRB Tax Exemption – Mid-Continent Instruments, Inc.](#) (District II)

Mid-Continent Instrument, Inc. requests a tax exemption extension to include the second five years on bond-financed real property.

RECOMMENDED ACTION: Extend the tax exemption for a second five-year period subject to ongoing efforts to meet job creation efforts.

6. [Report of the Commission of Electors.](#)

On June 18, 2002, the City Council authorized establishment of a Commission of Electors to study and recommend revisions to the City Council district boundaries.

RECOMMENDED ACTION: Receive the Report; select a boundary line plan; direct preparation of implementing Ordinance.

7. [Wichita Intervention Program Facility Contract.](#)

The Wichita Intervention Program provides alcohol education classes for defendants convicted of a first Driving-Under-the-Influence offense.

RECOMMENDED ACTION: Approve the Contract, including renewal options; approve WIP fee increase; authorize necessary signatures.

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CITY COUNCIL AGENDA

8. [Board Appointments.](#)

RECOMMENDED ACTION: Make the appointments.

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CONSENT AGENDA

9. [Report of the Board of Bids and Contracts Dated October 7, 2002.](#)

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

10. Application for License for Adult Entertainment Establishments/Services:

New Escort Service

Sandra J. Lacy                      Prime Time Entertainment                      1137 East Waterman

RECOMMENDED ACTION: Approve license subject to Staff review and approval.

11. Applications for Licenses to Retail Cereal Malt Beverages:

Renewal                      2002                      (Consumption on Premises)

Teresa A. Vasquez                      El Patio Inc.\*                      424 East Central

Renewal                      2002                      (Consumption off Premises)

W. Thomas Skok                      Westway 66 #27217                      2356 South Seneca  
W. Thomas Skok                      North Rock 66 #27396                      2190 North Rock Road

New Operator                      2002                      (Consumption on Premises)

Gracielo Lozano                      Tacos Tapatio\*                      2005 South Seneca  
Bobbie J. Major                      Stetson                      1021 West Harry

Special Event                      Location

Autumn in the air                      221 North Market  
Air Capital Chili Cookoff                      Lot 6 Public Parking

\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

12. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

13. Preliminary Estimates:

- a) Construct pavement on Northwind and West 33rd North, from the east line of the plat, west, southeast and east back to the east line of the plat. Drainage to be installed where necessary to serve Ridge Port Commercial Park -north of 29th Street North, west of Ridge. (472-83556/765742/490853) Does not affect existing traffic. (District V) - \$332,000.00
- b) Remove pedestal mounted traffic signals at three intersections downtown and replace them with pole and mast arms - south of Central east of Main. (87 N-0275-01 472-83367/710215/231077) Traffic to be maintained during construction using flagpersons and barricades. (District I & VI) - \$268,710.52

(Item 13 continued)

- c) Remove pedestal mounted traffic signals at Emporia & Third Street, Topeka & Third Street, Emporia & English and Topeka & English and replace them with overhead signals and mastarms - south of Central east of Main. (472-83367 /710215/231077) Traffic to be maintained during construction using flagpersons and barricades. (District I & VI) - \$370,596.43
- d) 2002 Planeview Sanitary Sewer Reconstruction Phase 1 - south of Pawnee, east of Hillside. (468-83488/622237/642345) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$275,000.00
- e) Lateral 141, Main 4, Sanitary Sewer #23 to serve Unplatted Tract - west of Arkansas, north of 31st Street North. (468-83427/743922/480610) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$12,600.00
- f) Grove Court to serve Pine Bay Estates - east of Hydraulic, south of 63rd Street South. (472-83617/765753/490864) Does not affect existing traffic. (District III) - \$120,000.00
- g) Broadview Circle to serve the south line of 45th Street North, south to and including the cul-de-sac, and; sidewalk be constructed along both sides of Broadview Circle to serve Northeast Middle School - south of 45th Street North, west of Oliver. (472-83604/765745/490856) Does not affect existing traffic. (District I) - \$488,000.00
- h) Great Plains, 34th Street North and Ridgewood from the north line of 35th Street North adjacent to part of Lot 1 and adjacent to Lots 2 through 6, Block 2, to the north line of 36th Street North to serve Great Plains Business Park 3rd Addition - east of Oliver, north of K-96. (472-83550 /765738/490849) Does not affect existing traffic. (District I) - \$600,000.00
- i) Water distribution system to serve Fossil Rim Estates - east of Tyler, south of 29th Street North. (448-89697/735075/470745) Does not affect existing traffic. (District V) - \$240,000.00
- j) Water distribution system to serve Highland Spring Second Addition - west of 135th Street West, south of Central. (448-89428/735076/470746) Does not affect existing traffic. (District V) - \$91,000.00

RECOMMENDED ACTION: Approve and file.

14. Petition for Public Improvements:

- a) Petition to construct a water distribution system to serve part of Valley Acres Addition – south of 13<sup>th</sup>, west of Meridian. (District VI)

RECOMMENDED ACTION: Approve Petition; adopt Resolution.

15. Minutes of Advisory Boards/Commissions:

District III Advisory Board Meeting, June 5, 2002; July 3, 2002; August 7, 2002  
District II Advisory Board Meeting, July 15, 2002; August 5, 2002  
Alternative Correctional Housing Advisory Board Meeting, July 25, 2002  
District V Advisory Board Minutes, August 5, 2002; September 9, 2002  
District VI Advisory Board Minutes, August 5, 2002  
Airport Advisory Board, August 5, 2002  
Employees Retirement System Meeting Minutes, August 28, 2002

(Item 15 continued)

Board of Electrical Appeals, September 10, 2002

Deferred Compensation Board of Trustees Quarterly Meeting, September 19, 2002 (canceled)

Public Library, September 20, 2002

RECOMMENDED ACTION: Receive and file.

16. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

17. Agreements/Contracts:

a) Legal services – civil rights and personal injury.

b) Easement encroachment – 1918 Saddle Creek. (District II)

c) Autumn in the Air.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

18. Release of Hardship Deferral Liens.

RECOMMENDED ACTION: Approve lien releases.

19. Interactive Voice Response System Replacement.

RECOMMENDED ACTION: Approve Contract and budget transfer; authorize necessary signatures.

20. Transfer of Funds – Water Utility.

RECOMMENDED ACTION: Approve transfer of funds.

21. Certificate of Convenience and Necessity – Cambridge Chauffeurs, L.L.C.

RECOMMENDED ACTION: Approve Certificate; authorize necessary signatures.

22. EPA Environmental Education Grants Program.

RECOMMENDED ACTION: Approve receipt of funds.

23. American Society of Civil Engineers Training Course.

RECOMMENDED ACTION: Approve expenditures; authorize necessary signatures.

24. Property Acquisition:

a) 2920 North West Street. (District V)

b) 8210 East Kellogg. (District II)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

25. Third Reading Charter Ordinance: (First Read September 17, 2002)

a) A Charter Ordinance of the City of Wichita, Kansas amending Charter Ordinance No. 193 related to the Police and Fire Retirement System of the City of Wichita, and repealing the originals of said Charter Ordinance.

Second Reading Ordinances: (First read October 1, 2002)

a) Issuance of Industrial Revenue Bonds – Big Dog Motorcycles, L.L.C. (District I)

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$800,000 Aggregate Principal Amount of Taxable Industrial Revenue Bonds, Series III, 2002 (Big Dog Motorcycles Project) for the purpose of providing funds to acquire, construct and equip a commercial warehouse facility to be located adjacent to an existing commercial facility in the City of Wichita, Kansas; prescribing the form and authorizing execution of a First Supplemental Trust Indenture by and between the City and Intrust Bank, N.A., as Trustee with respect to the Bonds; prescribing the form and authorizing the execution of a First Supplemental Lease Agreement by and between the City and Waterview Realty, L.L.C.; approving the form of a Guaranty Agreement; approving the First Supplemental Sublease between Waterview Realty, L.L.C. and Big Dog Motorcycles, L.L.C.; authorizing the execution of a Bond Placement Agreement by and between the City and Waterview Realty, L.L.C., as purchaser of the Bonds.

b) Z-3304 – northeast corner of 135<sup>th</sup> Street West and Central. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. Z-3304

c) ZON 2002-39 – south of Central, west side of Hoover. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2002-39

(Item 25 continued)

- d) A02-17 – northeast corner of 13<sup>th</sup> Street North and Webb Road. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A02-17

- e) A02-18 – east of 127<sup>th</sup> Street East, south of Mt. Vernon. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A02-18

- f) A02-19 – east of 127<sup>th</sup> Street East, north of 21<sup>st</sup> Street North. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A02-19

RECOMMENDED ACTION: Adopt Ordinances.

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### PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- \*26. [DED2002-26](#) – Dedication of Street Right-of-way for Property South of 13<sup>th</sup> Street, West of Meridian.  
(District VI)

RECOMMENDED ACTION: Accept the Dedication.

- \*27. [DED2002-27](#) – Dedication of Utility Easement for Property South of 13<sup>th</sup> Street, West of Meridian.  
(District VI)

RECOMMENDED ACTION: Accept the Dedication.

- \*28. [VAC2002-50](#) – Vacate Platted Utility Easement – Northwest of the K-96/Rock Road Intersection. (District I)

RECOMMENDED ACTION: Approve Vacation Order; authorize  
necessary signatures.

29. [CON2002-00038](#) – Conditional Use for a Wireless Communication Facility on Property Zoned Limited Commercial – South of Kellogg, East of Woodlawn – 6603 East Kellogg. (District II)

MAPC Recommendation: Approve, subject to conditions.  
DAB Recommendation: Deny.  
Staff Recommendation: Deny.

RECOMMENDED ACTION: Concur with the findings of the MAPC and approve  
the Conditional Use, subject to recommended conditions; OR  
  
Concur with the findings of DAB II and Staff and deny; OR  
  
Return the application to the MAPC for reconsideration.

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#### AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

30. [FAA Fire Equipment Grant.](#)

RECOMMENDED ACTION: Approve Grant application and receipt  
of funds; authorize necessary signatures.

Adjournment

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WORKSHOP: Wichita Central Corridor Railway Project